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7 FINJAN LLC,
8 Plaintiff,
9 v.
10 PALO ALTO NETWORKS, INC.,
11 Defendant.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 14-cv-04908-PJH

**ORDER DENYING ADMINISTRATIVE
MOTION FOR LEAVE TO INCLUDE
MORE THAN TEN CLAIM TERMS IN
CLAIM CONSTRUCTION STATEMENT**

Re: Dkt. No. 135

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14 Before the court is Palo Alto Networks' administrative motion to include more than
15 ten claim terms in the joint claim construction statement. See Dkt. 135.

16 The Patent Local Rules of this district impose a ten-term limit on the number of
17 terms identified in the joint claim construction statement. See Patent L.R. 4-3(c). This
18 court's standing order for patent cases further states that a party must "demonstrate good
19 cause" to identify more than ten terms. See Standing Order for Patent Cases, ¶ 4.

20 While Palo Alto Networks asserts that "good cause exists" to identify more than
21 ten terms in the joint claim construction statement, it also concedes that "at this point it is
22 not certain whether those disputes [related to the additional claim terms] will be relevant
23 to the trier of fact." See Dkt. 135 at 3.

24 In its opposition to the motion, Finjan points out that "no court in this district has
25 needed to construe more than ten terms in the first round of claim construction in any
26 Finjan case." Dkt. 136 at 1; see also *Finjan, Inc. v. Cisco Systems, Inc.*, 17-cv-0072, Dkt.
27 92 (Dec. 11, 2017) (denying administrative motion to include more than ten terms for
28 construction). Finjan also argues that Palo Alto Networks "fails to identify why any

1 specific term over the ten-term limit would be material to the case." Dkt. 136 at 1.

2 The court in Cisco concluded that the moving party "ha[d] not shown good cause
3 for briefing additional terms at this juncture," and this court reaches the same conclusion
4 in this case. See Cisco, 17-cv-0072, Dkt. 92 at *2. Palo Alto Networks has not
5 demonstrated good cause for identifying more than ten claim terms in the joint claim
6 construction statement, and its administrative motion is DENIED.

7 **IT IS SO ORDERED.**

8 Dated: July 12, 2021

9 /s/ Phyllis J. Hamilton
10 PHYLLIS J. HAMILTON
United States District Judge

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